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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,454	06/26/2003	Brian M. Kerrigan	RPS920030049US1	2960
47052	7590	11/16/2005		EXAMINER
SAWYER LAW GROUP LLP PO BOX 51418 PALO ALTO, CA 94303				BUI, HUNG S
			ART UNIT	PAPER NUMBER
				2841

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/606,454	KERRIGAN ET AL.	
	Examiner Hung S. Bui	Art Unit 2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 06 September 2005.  
 2a) This action is **FINAL**.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1,3,4,6-11,13,14 and 16-21 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1,3,4,6-11,13,14 and 16-21 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 09/06/2005 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____. 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6) <input type="checkbox"/> Other: _____.
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## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-4, 6-11, 13-14 and 16-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Le [US 5,652,697].

Regarding claims 1, 7 and 9, Le discloses a dual motion docking apparatus for docking an electronics console to a component board (40, figure 1) in a chassis, comprising:

- a first docking mechanism (figures 6-8) for slidably inserting the electronics console (figures 7-8) into a chassis (figure 1), such that connectors on the electronics console align with connectors on the component board, wherein the first docking mechanism comprises a docking base coupled to the component board having a longitudinal female portion (44, figure 6), and a longitudinal male portion (figures 7-8) located on an underside of the electronics console, wherein when the electronics console is inserted into an opening in a chassis, the male portion engages the female portion of the docking base to guide the electronics console along the docking base as the electronics console is slid into the chassis; and

- a second docking mechanism (56, figures 7-8) for laterally moving the electronics console towards the component board, such that the electronics console connectors engage the component board connectors, thereby enabling the blind docking between the electronics console and the component board, wherein the second docking mechanism comprises, a handle (56) extending from a front of the electronics console (figures 7-8), and a cam mechanism (58) having a portion that is held immobile by the docking base, wherein after the electronics console is slid into the chassis, the handle is pushed rearward by hand to actuate the cam mechanism, which then pulls the electronics console towards the component board.

A functional structure of relationship of an electronic console and a connector board in a chassis has not been defined in the claim. Therefore, an installation of the electronics console into the chassis to mate with a component board therein by an angle orthogonal direction is not considered.

Regarding claims 3-4, Le discloses the electronic console includes a base plate (figure 8) that includes at least one key slot (13), and the docking base includes at least one key, wherein after the electronic console is slid into the chassis, respective keys are aligned with respective key slots (figures 7-8).

Regarding claim 6, Le further discloses a handle (56) extending from a front of the electronics console with a cam mechanism, wherein the cam mechanism pushes the electronic console mating with the component board by means a cam track (figure 8).

Regarding claim 10, Le further discloses the electronic console comprising a central electronic console (figure 7).

Regarding claims 11, 13-14 and 16-21, the claim method steps are inherit in the product structure.

### ***Allowable Subject Matter***

3. Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

/

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1, 3-4, 6-11, 13-14 and 16-21 have been considered but are moot in view of the new ground(s) of rejection. Further, in response to applicant's arguments, the recitation "the electronics console must be

mated with the component board at an angle orthogonal to a direction of installation of the electronics console" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure Byrne et al. [US 6,845,015] disclose a docking mechanism to install a component into a chassis.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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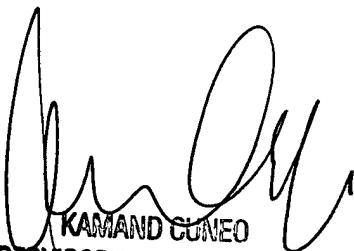
shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung S. Bui whose telephone number is (571) 272-2102. The examiner can normally be reached on Monday-Friday 8:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamand Cuneo can be reached on (571) 272-1957. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

11/8/05  
**Hung Bui**  
**Art Unit 2841**



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